App F IX—4

1956 57
(Conf

33-56-27, 33

File No 33 56

Serial Nos 27 33,

Previous References
Con 126 53 79

Later References
HH 271 CL 760

HH 279 CL 76,

MYSORE GOVERNMENT SECRETARIAT

Serial Nos 2

Part B for Oct 1956

SUBJECT

Re-instatement of Sri MA Seven B.A
Collector — Treating the period of absence
from the date of suspension to date of re
instatement — Bellary City Municipality

WD 05150—GPB—35 000—18 10 56

L 10359 dt 10 Oct

To The Municipal Commissioner
Bellary City Municipality
(Thro the Special Officer)

Copy to CSA

K Narasimha
19/12/56

Mysore Government Secretaria

File No 3593/III of 195

[App F III 2

Serial No

From

The DH Commr Bellary Alg DHG
Rc C1/1770/56 D 18 7 56
Request orders of Govt as to the
the period of absence of the Old Server
Sri Mohd Ghouse Saheb be treated —

Dly Br

Govt in their order No 24-26/CH 126-55-78
D 2 6 56 have directed that the Sri D Ramaya
Server, Bill Collector may be granted
from the DH Commr's request for leave
the period of absence from 3 5 56 to 17 6 56
as to be treated
2) the Govt order of Govt in the matter —
3) If approved the Controller SDD will be
consulted immediately in the first instance
4 yrs
9/8 9/8/56

Above noted 182/A 10-8-56 D

SDV SR

57 forwarded immediately to the Controller
SDD for Remarks and early return

Bangalore
D 8 56

Dy Secy to Govt
Pol Land Hlth Depts
M 9/8

U O No 157 /Aud/CSA Dated 6-9-1956
10

6) It is seen that the First Class Magistrate, Bellary, has acquitted Sri Mohamed Server, Bill Collector, honourably in the criminal case

I & L S O SECRETARIAT
11 SEP 1956

Note—C[illegible] Sh[illegible]

3593/M Re-instatement of Sri Ra Server — Treating the period of absence from of 195 the date of suspension Salary etc

File No

Mysore Government Secretariat

Serial No

case launched against him for the alleged misappropriation of a sum of Rs 29-13-9 by him in Bellary Municipality The learned Magistrate has held in his judgment dated 17-12-1954 that the omission to remit the above sum could only be a bonafide mistake and that there is nothing to suggest any kind of moral delinquency on the part of the bill collector as disclosed by evidence Also, as observed by the learned Magistrate this omission could have been detected, if only the supervisory staff had exercised the necessary checks on the collections made by the Bill Collector

7) In the above circumstances, the Bill Collector, has to be held to have been fully exonerated, and the following benefits conceded in Article 122 (b) (2) and (4) of M S R in such cases extended to him

i) His absence from 3-5-1954 to the end of 17-4-1956 has to be treated as time spent on duty, and

ii) He has to be given the full pay to which he would have been entitled, had he not been dismissed together with any allowances of which he was in receipt prior to his dismissal

H Rama Raj Urs 10/9

(H Rama Raj Urs)
CONTROLLER,
State Accounts Department,
Bangalore

The Secretary to Govt ,
Education & L S C Departments,
Bangalore

Subject

8) The remarks of the Controller S.A.D are for perusal and orders The views of the Controller may be

9/

WD 0260—GPE—P Z S 1 30 000 -21-5 55

3593/III 5-197/III

Mysore Government Secretariat

File No. of 195

[App F III 2 13

Re-instatement of Sri Ravi Sarma - Treating the period of absence from the date of suspension as Extraordinary

Serial No

Accepted and a Reply sent accordingly

12/9 13/9

10) Manikee attested

13/9/56

Secy (S&G)

11) 14/9

15/9/56

12) Submitted with a draft letter for approval

17/9 19/9

JSecy

30/9/56

To

The Hon. Commr Bellary thro SPE Officer

Memo No L10359/etc 33-56-33 dt 4/10/56

copy to the Controller, S-A O

Memo no L10360 dt 4/10/56

17/9

N & L S C S 1071 14 1 1 OF

N I - C II Sec 1

CH 33-56-27 3593

From	To
Sri T K Kannan, B A , Municipal Commissioner, Bellary	The Secretary to Government for Mysore, Education & Local Self Government Departments, Bangalore Through The Special Officer, Bellary City Municipality, Bellary

Sir,

Rc C-1/1770/56 dated 18-7-56

Sub - Establishment - Bellary City Municipality
Sri Md Server - Bill collector - reinstatement of the period of absence from the date of suspension to reinstatement - treating of - orders requested

Ref - 1 Government order No L 24-26-CM-126-55-75 dated 2-4-56

EDUC 28 JU

I write to invite your kind reference to the Government Order cited above and state that the Government were pleased to reinstate the Ex-Bill collector Sri Md Server to services Accordingly he has been reinstated as Bill collector and was asked to take charge of VII & VIII ward from 18-4-56

The Bill collector Sri Md Server in his application dated 21-5-56 (copy enclosed) is requesting for treating the period of absence from 3-5-54 to 17-4-56 as on duty for all purposes under article 122(b)(4) of Mysore Service Regulations

Under the circumstances I request orders as to how his period of absence mentioned above should be treated as (leave or as on duty) and the pay or allowance that has to be paid to him

Yours faithfully,

T K Kannan
Commissioner

Submitted

T J Ramakrishna
Special Officer 24/7/56

Encl 1
K s Exd lp 21-7

Finance Dept (Budget Section) Consulted Re A above

9/8/56 M 8/8

COPY OF THE LETTER DATED 21st May 1956 OF SRI MD SERVER.

Ref - Your Memo Rc No C1 3514/54 dated 17-4-56

***

I was kept under suppension with effect from 3-5-54 pending enquiry into my conduct for alleged misappropriation of Municipal Funds and I was ultimately dismissed from service with effect from that date in Roc No 3515/54 dated 29-7-54, simultaneously launching prosecution against me in District Munsiff's Court, Bellary The case was later on transferred to the First Class Magistrate, Bellary who has honourably acquitted me on 17-12-54 There upon I submitted several petitions to the higher authorities for my reinstatement

The Government were pleased to direct in their order No L 24-26-C M 126-55-75 Bangaloredated 2-4-56, to the effect that having regard to the judgement passed by the First Class Magistrate acquitting me in the above mentioned case, On receipt of the G O communicated to me in the reference cited, I have taken charge as Bill Collector for VII and VIII wards on the forenoon of 18-4-56

I request that the Government may be addressed to treat this period as on duty for all purposes under Article 122 (b) (4) of M S R

Early action may kindly be taken in the matter

SD MD SERVER,
Bill Collector VII & VIII Ward

/True Copy/

MANAGER

svK lp Exd 24-7

(3)

OFFICE OF THE CITY MUNICIPAL COUNCIL, BELLARY. 3 SEP 1956

5193

MUNICIPAL BRANCH

From	To
Sri T N Kiran,	THE SECRETARY TO GOVERNMENT OF MYSORE, EDUCATION AND LOCAL SELF GOVT. DEPARTMENTS,
Municipal Commissioner,	BANGALORE
Bellary	Through - The Special Officer, Bellary City Municipality, Bellary

SIR,

EDUCATION & L S G SECRETARY 26 SEP 1956 BELLARY

Rc C-1/1770/56 d/17-9-56

Sub - Establishment - Bellary City Municipality - Sri Md Server Bill collector - reinstatement of the absence from date of suspension to reinstatement - treating of - orders - requested

Ref - This office Rc 1770/56 C-1 d/18-7-56
-do- 10-8-56

======

I write to invite your kind reference to this office letter cited above and request the favour of an early reply in the matter

Yours faithfully,

T N Kiran
Commissioner

Submitted

T R Ramamurthy
Special Officer 24 9

K s Fxd lp 19-9

No L 10359 / CR 33-16-3-36
D 4-10-36

Subject Reinstatement of (4)
Sr Md Sewer, Vole Collector
- Seeking Re-, remand of
absence from the date-
of suspension & reinstatement
— Bellary Dist-, Mly

Sir

I Am Commr Bellary Dist Mly
Hd Qrs Ootacamund

Sir

With reference to your Letter-
no RC 1/1770/32 Dt 18-7-36
On the above subject I am
directed to state that it is
seen from a perusal of the
records that the First-Class
Magistrate Bellary has acquitted
Sri Md Sewer, Bale Collector-
Honorary in the criminal case—
launched against him for the-
alleged misappropriation of a
sum of Rs 29-13 g, by him
in Bellary Mly The learned
Magistrate has held in his

Court —

(48)

Judgment - dated 17.12.52 that the Omission to record the above item could only be a bonafide mistake and that there is nothing to suggest any kind of moral delinquency on the part of the Bill Collector as disclosed by evidence. Also, as observed by the learned Magistrate - this Omission could have been detected if only the Supervisory Staff had exercised the necessary checks on the Collections made by the Bill Collector.

In the above circumstances the Bill Collector has to be held to have been fully exonerated and the following benefits conceded in Article 122(b)(2) and (4) of FSR in such cases ~~contended~~ conceded to him

i) His absence from 3.5.1952 to the end of 17.4.1956 has to be treated as time spent on duty, and

ii) He has to be given the full pay to which he would have been entitled, had he not—

(6)

been dismissed to federal
with any clearance of
which he was in receipt prior
to his dismissal

I am to request you to take action
~~to refund the balance of the amount~~
accordingly

3 2

30/9/56

MOL 10360

DS London to Legos

04-10-56

Sgd to the Controller S&D for
information & his action
not re 157 Bud Ir S&D 6/10 9 56

30/9/56

Sgd Dr Hutton
DS London to Legos

4/X

NO L 10359 / CM 83-56-33
D 4-10-56

The Education & L s u Departments

(7)

The Municipal Commissioner,
Bellary City Municipality
(thro' the pecial Officer)

Sir,

Subject Re-instatement o rl ad erver, Bill Collector - - Treating the period of absence fro the date of suspension to reinstatement - Bellery City Municipality

- -

With reference to your letter No Rc C 1/1770/56 dated 18th July 1956 on the above subject, I am directed to state that it is seen from a perusal of the records that the First Class Magistrate Bella y has acquitted Sri Ad erver, Bill Collector honourably in the criminal case launched against him for the alleged misappropriation of sum of Rs 29-13-9 by him in Bellary Municipality The learned Magistrate has held in his Judgment dated 17th December 1954 that the omission to remit the above sum could only be a bon fide mistake and that there is nothing to suggest any kind of moral delinquency on the part of the Bill Collector as disclosed by evidence Also as observed by the learned Magistrate this omission could have been detected, if only the supervisory staff had exercised the necessary checks on the collections made by the Bill Collector

2 In the above circumstances, the Bill Collector has to be held to have been fully exonerated and the following benefits conceeded in Article 122 (b) (2) and (4) of the Mysore Service Regulations in such cases extended to him -

i) His absence from 3rd May 1954 to the end of 17th April 1956 has to be treated as time spent on duty, and

ii) he has to be given the full pay to which he would have been entitled, had he not been dismissed together with any allowances of which he was in receipt prior to his dismissal

(continued

(9)

I am to request you to take action accordingly

Yours faithfully,

SD /-
(P Ponnappa)
for Secretary to Government,
Education & L S G Departments

knr-3 Memo No L 10360 04-10-58.

Copy of the above is forwarded to the Controller, State Account Department, Bangalore, for information with reference to his un-official Note No 157/AUD/CSA dated 6/10th September 1956

(G V Thimmiah)
for Secretary to Government,
Education & L S G Departments

$a = 3$

$c = 5$